

MAR 01 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. application of:

Application No.: 10/700,071

Applicant: Robert D. Bjornson, et al.

Filed: 11/03/2003

Title: Method And Apparatus For High-
Performance Sequence Comparison

Examiner: Uyen T. Le

Art Unit: 2163

Docket No.: 053706-5001-01

Mail Stop Petitions

Attn: Ms. Nancy Johnson

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**Re: Petition To Expedite Review Of
"Petition For Revival of an Application For Patent Abandoned
Unintentionally"**

Dear Ms. Johnson:

Further to our phone conversation on Feb. 28, 2007 with reference to the above-referenced petition, attached please find the following documents:

1. Amended "Petition To Expedite Review Of Petition For Revival of an Application For Patent abandoned Unintentionally" identifying TurboWorx, Inc. as the assignee of patent application 10/700,071, on whose behalf this Petition To Expedite is being filed;
2. Revocation Of Power of Attorney With New Power Of Attorney, Form PTO/SB/82, from TurboWorx, Inc., the assignee of application no. 10/700.071;
3. Statement Under 37 CFR 3.73(b), Form PTO/SB/96, from TurboWorx, Inc., the assignee of application no. 10/700.071;
4. Patent Assignment Abstract of Title for patent no. 6,691,109, the parent patent of application no. 10/700,071 under which all continuation applications (such as application 10/700,071) are assigned to TurboWorx, Inc.

Respectfully submitted,

Date*A. Tankha*Ashok Tankha, Esq.
Attorney For Applicant
Reg. No. 33,802
Phone: 856-266-5145

Correspondence Address

Of Counsel, Lipton, Weinberger & Husick
36 Greenleigh Drive, Sewell, NJ 08080
E-mail: ash@ipprocurement.com

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**Petition To Expedite Review of
"Petition For Revival of an Application For Patent Abandoned Unintentionally"**

Applicant TurboWorx, Inc. herewith petitions the Commissioner to expedite the review of the "Petition For Revival of an Application For patent Abandoned Unintentionally Under 37 CFR 1.137(b), Form PTO/SB/64" filed as an attachment in the response to the office action dated 5/15/2006 for the above-referenced patent application.

This petition to expedite is filed on behalf of TurboWorx, Inc., the assignee of the above referenced patent application, to more precisely identify the patent assets of TurboWorx, Inc. including the above referenced patent application, which is in the process of being purchased by DKR Soundshore Oasis Holding Co., the secured creditor of the assets of TurboWorx, Inc.

Patent application 10/700,071 is a continuation of US patent no. 6,691,109. US patent no. 6,691,109 and continuation applications thereof including continuation application 10/700,071 have been assigned to TurboWorx, Inc. Attached is the patent Assignment Abstract of Title for US patent no. 6, 691, 109.

The next bankruptcy court hearing is scheduled in the United States Bankruptcy Court, Southern District of New York, Manhattan, NY, case no. 06-11074 (SMB) on March 6, 2007. Revival of the above referenced patent application will allow TurboWorx's patent portfolio to be assessed and sold to DKR Soundshore Oasis Holding Co. on March 6, 2007.

Please fax the decision regarding the grant/denial of the above petition to 856-374-0246.

Respectfully submitted,

Mar 1, 07
Date

A. Tankha
Ashok Tankha, Esq.
Attorney For Applicant
Reg. No. 33,802
Phone: 856-266-5145

Correspondence Address
Of Counsel, Lipton, Weinberger & Husick
36 Greenleigh Drive, Sewell, NJ 08080
E-mail: ash@ipprocurement.com

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Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications.
For pending or abandoned applications please consult USPTO staff.**

Total Assignments: 3

Patent #: 6691109 **Issue Dt:** 02/10/2004 **Application #:** 09814056 **Filing Dt:** 03/22/2001
Publication #: US20020194173 **Pub Dt:** 12/19/2002

Inventors: Robert D. Bjornson, Nicholas J. Carrero, Andrew H. Sherman, Stephen B. Weston et al

Title: METHOD AND APPARATUS FOR HIGH-PERFORMANCE SEQUENCE COMPARISON

Assignment: 1

Reel/Frame: 011769/0875 **Recorded:** 05/02/2001 **Pages:** 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: BJORNSON, ROBERT D.

Exec Dt: 03/26/2001

CARRERO, NICHOLAS J.

Exec Dt: 03/26/2001

SHERMAN, ANDREW H.

Exec Dt: 03/26/2001

WESTON, STEPHEN B.

Exec Dt: 03/26/2001

WING, JAMES E.

Exec Dt: 03/26/2001

Assignee: TURBOGENOMICS, INC.

ONE CENTURY TOWER, 265 CHURCH STREET
NEW HAVEN, CONNECTICUT 06510

Correspondent: MORGAN, LEWIS & BOCKIUS LLP

REID G. ADLER
1800 M STREET
WASHINGTON, DC 20036

Assignment: 2

Reel/Frame: 015008/0720 **Recorded:** 03/01/2004 **Pages:** 2

Conveyance: CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

Assignor: TURBOGENOMICS, INC.

Exec Dt: 08/30/2002

Assignee: TURBOWORX, INC.

3 ENTERPRISE DRIVE
SHELTON, CONNECTICUT 06484

Correspondent: MORGAN, LEWIS & BOCKIUS LLP

DANIEL H. GOLUB
1701 MARKET STREET
PHILADELPHIA, PA 19103

Assignment: 3

Reel/Frame: 016026/0158 **Recorded:** 05/18/2005 **Pages:** 39

Conveyance: SECURITY AGREEMENT

Assignor: TURBOWORX, INC.

Exec Dt: 05/06/2005

Assignee: DKR SOUNDSHORE OASIS HOLDING FUND LTD.

1281 E MAIN STREET
C/O DKR CAPITAL PARTNERS L.P.
STAMFORD, CONNECTICUT 06902

Correspondent: THOMSON & THOMSON
1750 K STREET, NW
SUITE 200
WASHINGTON, DC 20006

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PTO/SB/02 (01-06)

Approved for use through 12/31/2006. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10700071
Filing Date	11/03/2003
First Named Inventor	Robert D. Blomson
Art Unit	2183
Examiner Name	Uyen T. Le
Attorney Docket Number	053706-5001-01

I hereby revoke all previous powers of attorney given in the above-identified application.

☒ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners associated with the Customer Number: ☒ Please change the correspondence address for the above-identified application to:☐ The address associated with
Customer Number:

OR

☒ Firm or
Individual Name Ashok Tardha
Of Counsel, Lipton, Weinberger & Husick

Address 36 Greenleigh Drive

City Sewell State NJ Zip 08080

Country USA

Telephone 856-286-5148

Email ash@ipprocurement.com

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)**SIGNATURE of Applicant or Assignee of Record**Signature 

Name Sri Chari

Date March 1, 2007

Telephone 202-205-0705

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 9 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: TurboWork, Inc.Application No./Patent No.: 10/700,071 Filed/Issue Date: 11/03/2003Entitled: Method And Apparatus For High-Performance Sequence ComparisonTurboWork, Inc. a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

In the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011769 Frame 0876 or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____ Frame _____ or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____ Frame _____ or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____ Frame _____ or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]
Signature
Bini Chari
Printed or Typed Name
Chief Executive Officer
Title

March 1, 2007
Date
202-206-0706
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1458, Alexandria, VA 22313-1458.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.